

1900-040
Lee Co.

Chancery Causes: Calvin Pardee vs. John W. Morris &c

Barker, Wallace, Hodge, Slump

CA - Contract Dispute

T - Property

CIRCUIT COURT OF LEE COUNTY, VIRGINIA.

Calvin Pardee, Complainant,

v.

BILL

John W. Morris et al., Defendants.

To the Honorable H. A. W. Skeen,

Judge of the Circuit Court of Lee County, Virginia.

Your orator, Calvin Pardee, states unto the Court as follows, to-wit:

That, by patent dated the 1st day of April, 1850, the Commonwealth of Virginia granted unto one James M. Clarkston and Richard Morris a certain tract of land containing one hundred and seventy-nine (179) acres, more or less, lying in the Crab Orchard, in Lee County, Virginia, on the waters of the North Fork of Powells River, a certified copy of which patent is filed herewith as part hereof, marked "Exhibit A"; that thereafter the said James M. Clarkston and Richard Morris made a verbal partition of the said tract of land, by which it was agreed between them that the said James M. Clarkston should have one hundred (100) acres off of the Western end of said patent, and the said Richard Morris seventy-nine (79) acres off of the Eastern end of the said patent, the division line between them being as follows, to-wit, beginning at two white oaks and two small chestnut oaks on the top of a ridge, one of the corners of the said patent, and running thence S. 28° 30' W. 86 poles to a chestnut standing in the Southern line of the said patent; that the said James M. Clarkston took possession of the said part of the said patent so assigned to him, and the said Richard Morris likewise took possession of the said part of the said patent assigned to him, and that they, the said Clarkston and the said Morris, and their grantees have

continuously held possession of the said respective parts of the said patent ever since; that, by divers mesne conveyances, your orator has now become the owner of the said part of the said patent assigned as aforesaid to the said James M. Clarkston, and claims the same under the said James M. Clarkston; that no deed of partition was ever executed by the said Richard Morris to the said James M. Clarkston, and that the record title of your orator to the said part of the said patent is in this respect defective; that the said Richard Morris died intestate some years since, leaving the

Heir of Mary Wallace died nee Morris, Lydia Hodge formerly Lydia Morris, widow of W. S. Hodge R. P. Morris and Henry Morris are heirs at law, court: Elias Morris, Anthony Morris, Wiley Morris, all three of Kentucky, James M. Morris, Kentucky, Thomas Morris, Kentucky, John Morris, Kentucky, leaving one heir at law, court: John Morris, of Meigs County, Kentucky, Elizabeth Barker, of Washington County, Virginia, John W. Morris, Meigs County, Virginia, Susan Wallace, wife of O. G. Wallace, Meigs County, Virginia, now in West Virginia, who is one of the heirs of the said Mary Wallace, deceased. The said Elizabeth Barker is now insane.

following heirs, at law, to-wit: Elias Morris, now deceased, leaving one heir at law, court: Elias Morris, Anthony Morris, Wiley Morris, all three of Kentucky, James M. Morris, Kentucky, Thomas Morris, Kentucky, John Morris, Kentucky, leaving one heir at law, court: John Morris, of Meigs County, Kentucky, Elizabeth Barker, of Washington County, Virginia, John W. Morris, Meigs County, Virginia, Susan Wallace, wife of O. G. Wallace, Meigs County, Virginia, now in West Virginia, who is one of the heirs of the said Mary Wallace, deceased. Wherefore your orator prays that Elias Morris, Anthony Morris, Wiley Morris, James M. Morris, Thomas Morris, John Morris, Elizabeth Barker, John W. Morris, Susan Wallace,

Lydia Hodge, R. P. Morris, and Henry Morris, and O. G. Wallace,

BE MADE PARTIES DEFENDANT TO THIS BILL; AND REQUIRED TO

ANSWER the same, , but answer under oath is hereby waived; that a guardian ad litem be appointed for the said Elizabeth Barker, that an order of publication be made against the said non-

resident defendants; and that, upon a final hearing, a commissioner be appointed with directions to convey unto your orator all the right, title and interest of the said defendants in and to the said part of the said patent owned, as aforesaid, by your orator, and for costs, and for such other further and general relief as the nature of the case may require, and to equity may seem meet.

B. H. Sewell, and

Bullitt & Kelly

p. q.

CIRCUIT COURT OF LEE COUNTY, VIRGINIA.

Calvin Pardee, Complainant,

v.

AFFIDAVIT

John W. Morris et al., Defendants.

Affiant Campbell Slemph states on oath that Elias Morris, Wiley Morris, Nancy W. Morris, James M. Morris, John Morris, Anthony Morris, and Susan Wallace

who are defendants in a certain suit about to be instituted in the Circuit Court of Lee County by Calvin Pardee against John W. Morris and others, are non-residents of Virginia.

C. Slemph

State of Virginia)
County of) to-wit:

I, James B. Shalley, a notary public in and for the State and County aforesaid, do hereby certify that Campbell Slemph, whose name is signed to the foregoing affidavit, this day personally appeared before me in my County aforesaid, and made oath that the statements in the foregoing affidavit are true.

Given under my hand this 30th day of July 1900
1900

James B. Shalley

Fee .25x

Calvin Pardee

Affidavit for order Pub

John W Morris et als

Filed August 4th 1900

A B Munsey Clerk

Plffs Costs
 Clerk 6.79
 Tax 1.50
 Shff 2.50
 atty 15.00
 Printer 9.80
 L.A.L. 5.00
 \$40.59

Calvin Pardee,

vs { Orig - Bill.

John W. Morris et al.

Bullitt & Kelly & B. H. Sewell

1900. 1st Sept rules Bill

filed Spa executed on home
defts except as to Henry Morris

Lydia Hodge & Elizabeth Barker
& alias Spa as to them & O.P. for
non residents. & alias Spa

" 2nd Sept rules alias Spa
executed on Henry Morris
& Lydia Hodge. D.N. as to them
D.N. confd as to other defts &
O.P. Complete.

" 1st Oct rules D.N. confd as
to Henry Morris & Lydia Hodge
& Cause set for hearing

MEMORANDUM FOR CLERK.

Circuit Court of Lee County,

1st September Rules.

Calvin Pardee, Complainant,

v.

John W. Morris et al., Defendants. *Elias Morris, Anthony Morris, Wiley Morris, Nancy M. Morris, James M. Morris, John Morris, Elizabeth Porter, Susan Wallace, P. B. Wallace, R. D. Morris, and Henry Morris. Plaintiffs.*

Suit in Chancery. Issue summons against home defendants, returnable 1st Rules in September, 1900. Make order of publication against non-resident defendants, name-

ly, *Elias Morris, Wiley Morris, Nancy M. Morris, James M. Morris, John Morris, Anthony Morris, and Susan Wallace.*

publish the same in the South-west Virginian, and post the same on the front door of the Court-house.

In the order of publication, state the object of the suit to be as follows, to-wit: "The object of this suit is to require the defendants, who are heirs of Richard Morris, deceased, to convey unto the said Calvin Pardee all thier right, title and interest in and to the following described part of a certain patent, containing 179 acres, more or less, lying in the Crab Orchard, in Lee County, Virginia, granted by the Commonwealth of Virginia unto Richard Morris and James M. Clarkston, dated the 1st day of April, 1850, to-wit, all that part lying West of the following line, to-wit, beginning at two white oaks and two small chestnut oaks on top of a ridge, one of the corners of the said patent, and running thence S. 28° 30' W. 86 poles to a chestnut standing in the Southern line of the said patent".

Circuit Court of Lee County
Virginia.

Calvin Pardee

Versus

John T. Morris et al.

The answer of Elizabeth Barker
by D. C. Sewell her Guardian
ad litem in the above named
Cause.

Respondent says that she
is insane and incapable of
understanding the merits of
the above controversy and
therefore she commends herself
and her rights to the
protection of the court, and
prays that no decree be
entered therein to her prej-
udice, and further prays that
she be hence dismissed with
her costs.

D. C. Sewell
Guardian ad litem.

Calvin Pardee

vs. } Answer of
 } G. A. L.

John W. Morris et al

Filed in open court
by leave thereof this
Nov 8. 1900.

A. B. Mursey
Clerk.

CIRCUIT COURT OF LEE COUNTY, VIRGINIA.

Calvin Pardee, Complainant,

v.

DECREE

John W. Morris et al., Defendants.

This cause came on this day to be heard upon the *and the answer of Elizabeth Boudler by her guardian ad litem, W. C. Sewell, who is this day also present by the Court to defend her in this cause* bill and exhibits filed therewith, and was argued by counsel, *and further publication to said answer*

and it appearing to the Court that the home defendants, viz.,

John W. Morris, Elias Morris, Anthony Morris, Wiley Morris, P. G. Wallace, Lydia Hodge, R. P. Morris, and Henry Morris,

have been duly summoned herein, and that an order of publi-

lication has been made, published, and posted as required

by law against the non-resident defendants, namely, *Elias*

Morris, Wiley Morris, Nancy W. Morris, James M. Morris, John Morris, Anthony Morris and Susan Wallace?

and that none of said defendants have appeared, answered or

pleaded herein, the bill is taken for confessed as to each

except the said Elizabeth Boudler and all of said defendants; and it is further adjudged, ord-

ered and decreed by the Court that B. H. Sewell, who is here-

by appointed a Special Commissioner for the purpose, shall

execute and deliver to the said Calvin Pardee a deed, convey-

ing unto him all the right, title and interest of each and

all of the said defendants in and to the land in the bill

mentioned claimed to be owned by the said Pardee;

And thereupon came B. H. Sewell, Special Commission-

er, and filed his report herein, showing that he has exe-

cuted the deed to the said Pardee as above directed, and

filed the said deed with his report for the inspection of

the Court, and, the Court having inspected the same, it is

adjudged, ordered and decreed that the said report, togeth-

er with the said deed, be and they are hereby approved and

confirmed, and leave is given to the said Pardee to with-

-2-

draw the said deed from the papers in this cause; and nothing further appearing to be done herein, this cause is stricken from the docket. *at plaintiffs costs.*

Calvin Pordee
vs Σ Deere,
John W Morris et al.

Entered this
Nov, 8th 1900
H. C. W. Stuenkel
Entered on Chy O.B.
No. 6. P. 437.

CIRCUIT COURT OF LEE COUNTY, VIRGINIA.

Calvin Pardee, Complainant,

v: Report of B. H. Sewell, Special Commissioner
John W. Morris et al., Defendants.

Your Commissioner, B. H. Sewell, this day appointed in the above cause with directions to execute unto Calvin Pardee a deed, conveying unto him all of the right, title and interest of the defendants in this cause to the land in the bill mentioned claimed by the said Calvin Pardee, would respectfully report unto the Court that he has executed the said deed, and herewith files the same for the inspection of the Court.

Respectfully submitted

B. H. Sewell,

Special Commissioner.

Calvin Pardee
vs { Cousin's Report
of deed
John W. Morris & Co.

Filed in Open
Court, this 20th, 8th
1900.

A. B. Munsey
Clerk,

Special Commissioner.

In the Clerk's Office of the Circuit-Court of the County of
Lee on the 6th day of August 19 08.

Calvin Pardee Plaintiff
against, John N. Morris, Elias Morris, Anthony Morris
Wiley Morris, Nancy N. Morris, James M. Morris
Elizabeth Barker, Susan Wallace, P. L. Wallace Lydia
Hodge, R. P. Morris and Henry Morris
Defendants

In Chancery

" The object of this suit is to require the defendants who are heirs of
Richard Morris deceased to convey unto the said Calvin
Pardee all their right-title and interest in and to the
following described part of a certain Patent containing
179 acres, more or less, lying in the Crab Orchard, in
Lee County Virginia granted by the Commonwealth
of Virginia, unto Richard Morris and James
M. Clarkston dated the 1st day of April 1850 to wit:
All that part lying west of the following line to
wit: Beginning at two White Oaks and two small
Chestnut Oaks on top of a ridge, one of the corners
of the said patent and running thence S 28° 30'
W 86 poles to a Chestnut standing in the
Southern line of the said patent."

And an affidavit having been made and filed that the defendants Elias Morris, Wiley Morris
Nancy N. Morris, James M. Morris, John Morris, Anthony Morris and
are not residents of the State of Virginia, it is ordered that they do appear here within fifteen days
after due publication hereof, and do what may be necessary to protect their interest in this suit. And
it is further ordered that a copy hereof be published once a week for four weeks in the South-west
Virginian, and that a copy be posted at the front door of the court-house of this County
on the first day of the next term of the County Court.

Bullitt & Kelly A copy—Teste:
B. H. Sewell p. q.

A. B. Munsey Clerk.

Susan Wallace

Calvin Pardee

vs. {

ORDER OF
PUBLICATION.

John H. Morris et al.

Virginia Lee County to-wit:
J. H. B. Munsey Clerk of the
Circuit Court for Lee County
do hereby certify that I
posted a copy of the within
at the front door of the
Court house on the first
day day of the August
term 1900. of the County
Court of Lee County.
Given under my hand
this August 20th 1900
J. H. B. Munsey Clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *John H. Morris, Elias Morris, Anthony Morris, Wiley Morris, Nancy H. Morris, James M. Morris, John Morris, Elizabeth Barker, Susan Wallace, P. G. Wallace, Lydia Hodge, R. P. Morris, and Henry Morris* to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held for the said court, on the *1st* Monday in *September 1890*, to answer a bill in chancery exhibited against *them* in our said court by *Calvin Pardee*

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *6th* day of *August 1890* and in the *12^{5th}* year of the Commonwealth.

A. B. Munsey Clerk

Serve copy on
Lydia Hodge
R. P. Morris and
Henry Morris

Robbins Shift of See

Form No. 300 $\frac{1}{2}$.

Calvin Pardee

vs. {

SUBPOENA

IN CHANCERY

J. W. Morris et al

Bullitt & Kelly
vs. J. H. Sewell p. q.

To 1st September Rules.

Circuit Court.

Executed by
Serving a copy of
the within subpoena
on R. P. Morris
This Oct 15th 1900
A D Robbins Dept.
for W. J. Mulham S. D. C.

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

^{again}
WE COMMAND YOU, That you summon John W Morris, Elias Morris
Anthony Morris, Wiley Morris, Nancy W Morris, James M
Morris, John Morris, Elizabeth Barker, Susan Wallace
P. H. Wallace, Lydia Hodge, R. P. Morris, and Henry Morris
to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held
for the said court, on the 3rd Monday in September 1890, to answer a
bill in chancery exhibited against them in our said court by Calvin
Pardee

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the
court-house, the 3rd day of September 1890, and in the 12^{5th} year of the

Commonwealth.

A Copy

A B Munsey Clerk

Teste; A B Munsey Clerk

vs.

{

**SUBPOENA
IN CHANCERY**

p. q.

To *Rules.*

..... *Court.*

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

^{again}
WE ~~COMMAND~~ YOU, That you summon *John H Morris, Elias Morris, Anthony Morris, Wiley Morris, Nancy H Morris, James M Morris, John Morris Elizabeth Barker, Susan Wallace P. H. Wallace Lydia Hodge, R. P. Morris and Henry Morris,*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held for the said court, on the 3rd Monday in September 1800, to answer a bill in chancery exhibited against them in our said court by Calvin Pardee

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the 3rd day of September 1800, and in the 12th year of the Commonwealth.

A B Munsey Clerk

serve copies on
H. P. Morris
Lydia Hodge &
Henry Morris.

I understand they live
above Stickleyville

Form No. 300 $\frac{1}{2}$.

Calvin Parden

vs. {

SUBPOENA

IN CHANCERY

John H. Morris et al.

Bullitt & Stelly
& B. H. Sewell p. q.

To 2nd September Rules.
Circuit Court.

Executed Sept 13th 1900
by delivering an office copy
of the within subpoena in Chancery
to Henry Morris & Lydia
Hodge
R. B. Linsey Sept
for W. J. Mulhann & L. C.

The Commonwealth of Virginia,

Washington

To the Sheriff of the County of ~~Lee~~ Greeting:

^{again}
WE COMMAND YOU THAT YOU SUMMON John W. Morris, Elias Morris, Anthony Morris, Wiley Morris, Nancy W. Morris, James M. Morris, John Morris, Elizabeth Barker, Susan Wallace, P. H. Wallace, Lydia Hodge, R. P. Morris, and Henry Morris

to appear at the Clerk's office of the Circuit Court of the County of Lee at the court-house thereof, at the Rules to be holden for said Court, on the 3rd Monday in October 1900, ~~189~~ to answer a bill in chancery, exhibited against them in our Court by Calvin Pardee

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the 9th day of October 1900 ~~189~~, and in the 12th year of the Commonwealth.

A copy—Teste:

A B Munsey Clerk.
A B Munsey Clerk.

For Elizabeth Bondy,

SUBPOENA
VS. { IN CHANCERY.

p. q.

To Rules.

CIRCUIT COURT.

The Commonwealth of Virginia,

Washington

To the Sheriff of the County of ~~Lee~~ Greeting:

again
WE COMMAND YOU THAT YOU SUMMON

John W. Morris, Elias Morris, Anthony Morris, Wiley Morris, Nancy W. Morris, James M. Morris, John Morris, Elizabeth Barker, Susan Wallace, P. H. Wallace, Lydia Wodge, R. C. Morris, and Henry Morris

to appear at the Clerk's office of the Circuit Court of the County of Lee at the court-house thereof, at the Rules to be holden for said Court, on the *3rd* Monday in *October* 1900 ~~1899~~, to answer a bill in chancery, exhibited against *them* in our Court by

Calvin Pardee.

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *9th* day of *October* 1900 ~~1899~~, and in the 12^{*th*} year of the Commonwealth.

A. B. Munsey Clerk.

A copy—Teste: _____ Clerk.

Calvin Pardee

VS. { SUBPOENA
IN CHANCERY.

John W Morris et al
Bullitt & Kelly
B. H. Sewell p.q.

To 2nd Oct Rules.

CIRCUIT COURT.

Not found
Oct 15th 1900

J. W. Horton trustee sm

The Commonwealth of Virginia,

Washington

To the Sheriff of the County of ~~Lee~~, Greeting:

WE COMMAND YOU, That you summon *John N. Morris, Elias Morris Anchor*
Morris, Wiley Morris, Nancy N. Morris, James M. Morris John
Morris Elizabeth Barker Susan Wallace, P. G. Wallace
Lydia Hodge R. P. Morris and Henry Morris

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held

for the said court, on the 1st Monday in September 1900, to answer a

bill in chancery exhibited against them in our said court by Calvin

Pardee

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the

court-house, the 6th day of August 1900, and in the 12th year of the

Commonwealth.

A Copy

A. B. Munsey Clerk

Teste: A. B. Munsey Clerk

vs.

{

SUBPOENA
IN CHANCERY

p. q.

To *Rules.*

Court.

For Elizabeth Barker

The Commonwealth of Virginia,

Washington
To the Sheriff of the County of ~~Lee~~, Greeting:

WE COMMAND YOU, That you summon *John N. Morris, Elias Morris*
Anthony Morris Wiley Morris Nancy N. Morris James
M. Morris John Morris Elizabeth Barker Susan Wallace
P. G. Wallace Lydia Hodge, R. P. Morris and Henry Morris
to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held
for the said court, on the *1st* Monday in *September* *1890*, to answer a
bill in chancery exhibited against *them* in our said court by *Calvin*
Pardee

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the
court-house, the *6th* day of *August* *1890*, and in the 12 year of the
Commonwealth.

A. B. Munsey Clerk.

Serve copy on
Elizabeth Barker

I am informed that Elizabeth Barker
was sent to the Lunatic Asylum
at Marion a year or more ago.
JWH

Shff of Washington

Form No. 300 1/2.

Calvin Pardee

vs. {

SUBPOENA

IN CHANCERY

John W. Morris et al

Bullitt & Kelly
Att. H. Sewell p. q.

To 1st September Rules.

Circuit Court.

Not found in my
Bailewick

Aug 23 1900

JW Horton
JWH

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *John N. Morris, Elias Morris, Anthony Morris, Wiley Morris, Nancy N. Morris, James M. Morris, John Morris, Elizabeth Barker, Susan Wallace, P. G. Wallace, Lydia Hodge, R. P. Morris and Henry Morris* to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held for the said court; on the *1st* Monday in *September* 1900, to answer a bill in chancery exhibited against *them* in our said court by *Calvin Pardee*.

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the court-house, the *6th* day of *August* 1900, and in the 12 year of the Commonwealth.

A. B. Munsey Clerk

A Copy

Liste: A. B. Munsey Clerk

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *John N. Morris, Elias Morris*
Anthony Morris, Wiley Morris, Nancy N. Morris James M.
Morris John Morris Elizabeth-Barker, Susan Wallace P. G.
Wallace, Lydia Hodge, R. P. Morris and Henry Morris
to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held
for the said court, on the *1st* Monday in *September 1900*, to answer a
bill in chancery exhibited against *them* in our said court by *Calvin*
Pardee

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the
court-house, the *6th* day of *August* *1900*, and in the *120th* year of the
Commonwealth.

A. B. Munsey *clerk*

A Copy

Teste: A. B. Munsey Clerk

Calvin Pardee

vs. {

SUBPOENA

IN CHANCERY

~~J. W. Morris~~
 J. W. Morris et al
 Bullitt & Kelly &
 B. H. Sewell p. q.

To 1st September Rules.

1900. Circuit Court.

Not Executed for
 the want of time
 Not knowing where
 the parties live
 This Sept 1-1900
 O. O. Ely Jr.
 for Wm. J. Mithem
 & L. C.

The Commonwealth of Virginia,

Wm
To the Sheriff of the County of ~~Lee~~, Greeting:

WE COMMAND YOU, That you summon *John N. Morris Elias Morris Anthony*
Morris Wiley Morris, Nancy N. Morris James M. Morris
John Morris, Elizabeth Barker Susan Wallace, P. G. Waller
Lydia Hodge R. P. Morris and Henry Morris
to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held
for the said court, on the *1st* Monday in *September* 19*00*, to answer a
bill in chancery exhibited against *them* in our said court by *Calvin*
Pardee

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the
court-house, the *6th* day of *August* 19*00*, and in the 12*5th* year of the
Commonwealth.

A. B. Munsey Clerk

Serve copy on
John H Morris &
P. S. Wallace

Shiff of Wise

Form No. 800 1/2.

Calvin Pardee

vs.

SUBPOENA

IN CHANCERY

J. W. Morris et als

Bullitt & Kelly +
B H Sewell p. q.

To 1st Sept Rules.

Circuit Court.

Examine the within subpoena on John H. Morris and P. S. Wallace by delivering the each of them in person a true office copy thereof in handwriting by the on the 13th day of August, 1900 J. S. Danton D. S. for W. Fuller and

**CERTIFICATE OF
ORDER OF PUBLICATION.**

I, A. M. Goins, Editor of the **SOUTH-
WEST VIRGINIAN**, a weekly newspa-
per published at Jonesville, Lee County,
Va., do hereby certify that the annex-
ed notice was published in said paper
once a week for four successive weeks,
commencing on the 9th day of

August, 1900.

A. M. Goins, EDITOR.

FEE, \$ 9.80

ORDER OF PUBLICATION.

VIRGINIA—In the Clerk's Office of the
Circuit Court of the County of Lee on
the 6th day of August, 1900.

CALVIN PARDEE, Plaintiff,
against

John W. Morris, James M. Morris,
John Morris, Wiley Morris, Nancy
W. Morris, Elias Morris, Anthony
Morris, Elizabeth Barker, Susan
Wallace, P. G. Wallace, Lydia
Hodge, R. P. Morris, and Henry
Morris, Defendants.

IN CHANCERY.

"The object of this suit is to require the
defendants who are heirs of Richard Mor-
ris deceased to convey unto the said Cal-
vin Pardee all their right, title and inter-
est in and to the following described part
of a certain Patent containing 179 acres,
more or less, lying in the Crab Orchard, in
Lee County, Virginia, granted by the
Commonwealth of Virginia, unto Richard
Morris and James M. Clarkston dated the
1st day of April, 1850 to wit: all that part
lying west of the following line to-wit:
Beginning at two White Oaks and two
small Chestnut Oaks on top of a ridge, one
of the corners of the said patent and run-
ning thence S. 28° 30' W 86 poles to a
chestnut standing in the Southern line of
the said patent."

And an affidavit having been made and
filed that the defendants Elias Morris,
Wiley Morris, Nancy W. Morris, James
M. Morris, John Morris, Anthony Morris
and Susan Wallace are not residents of the
State of Virginia, it

is ordered that they do appear here within
fifteen days after due publication hereof,
and do what may be necessary to protect
their interest in this suit. And it is further
ordered that a copy hereof, be published
once a week for four weeks in the South-
west Virginian, and that a copy be posted
at the front door of the court-house of this
County on the first day of the next term of
the County Court. A copy—Teste:

A. B. MUNSEY, Clerk.
Ballitt & Kelly and B. H. Sewell, p. q.

8-9-00-4t.

ORDER OF PUBLICATION.

Calvin Pardee,

VS.

IN CHANCERY.

John W. Morris et al

FEE

\$9.80